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Total Number of Pages in This Submission	12	Attorney Docket Number	SHOB-0005 (037498-006)
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Thelen Reid Brown Raysman & Steiner LLP		
Signature			
Printed Name	David B. Ritchie		
Date	January 4, 2008	Reg. No.	31,562

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	
Typed or printed name	Monica Pizarro
Date	January 4, 2008

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Docket No.: SHOB-0005 (037498-006)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Hiroshi Nagai et al.
SERIAL NO.: 10/588,428
FILING DATE: August 4, 2006 CONFIRMATION NO.: 9228
TITLE: Functional Beverage And Composition
EXAMINER: Perreira, Melissa Jean
TELEPHONE: (571) 272-1354
FAX: (571) 273-8300
ART UNIT: 1618

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on the date printed below:

Date: 11/4/08

Name: 
Monica Pizarro

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

This paper is responsive to the Office Action mailed **October 4, 2007**. Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page **2** of this paper.

Remarks begin on page **5** of this paper.